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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/600,121	06/20/2003	Conor P. Cahill	AOL0072	5591

22862 7590 08/10/2005

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EXAMINER	
MOORTHY, ARAVIND K	

ART UNIT	PAPER NUMBER
2131	

DATE MAILED: 08/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/600,121	CAHILL ET AL.	
	Examiner	Art Unit	
	Aravind K. Moorthy	2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *25 May 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-44* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-44* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *20 June 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This is in response to the amendment filed on 25 May 2005.

2. Claims 1-44 are pending in the application.

3. Claims 1-44 have been rejected.

Response to Amendment

4. The applicant has amended claim 30 to depend upon claim 29. There is no longer insufficient antecedent basis in this claim. The examiner withdraws claim rejection under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Response to Arguments

5. Applicant's arguments with respect to claims 1-44 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claim 39 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The preamble of claim 39 recites the claim as an apparatus and as a method. This is improper. For the sake of examining, the examiner assumes that claim 39 is an apparatus claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1, 2, 5-12, 16-18, 21-28 and 32 are rejected under 35 U.S.C. 102(b) as being anticipated by Lin et al U.S. Patent No. 6,052,785.

As to claim 1, Lin et al discloses an apparatus for proving authentication when a user is not present, the apparatus comprising:

a Web service client coupled to a service provider [column 2, lines 41-62];

a Web service provider [column 2, lines 41-62]; and

a discovery service [column 2, lines 41-62];

wherein:

the Web service client, the service provider, the Web service provider, and the discovery service agree to work with each other [column 2 line 63 to column 3 line 4]; and

the Web service provider is configured in such a way such that the calling Web service client must prove that it has permission to request a service from the Web service provider when a live authenticated session

of the user with the Web service client is not present [column 8, lines 10-56].

As to claims 2 and 18, Lin et al discloses that the Web service client comprises an assertion [column 7, lines 10-41]. Lin et al discloses the assertion comprising a statement that the user has an authenticated session [column 7, lines 10-41].

As to claims 5 and 21, Lin et al discloses that the statement comprises, but is not limited to, the following information:

a system entity that made the assertion [column 7, lines 10-41];

a system entity making a request [column 7, lines 10-41];

a system entity relying on the assertion [column 7, lines 10-41]; and

a name identifier of the user in a namespace of the system entity that made the assertion to the system entity relying on the assertion [column 7, lines 10-41].

As to claims 6 and 22, Lin et al discloses that the system entity making the assertion is an identity provider of the discovery service [column 7 line 48 to column 8 line 8].

As to claims 7 and 23, Lin et al discloses that the system entity making a request is the Web service client [column 8, lines 18-37].

As to claims 8 and 24, Lin et al discloses that the system entity relying on the assertion is the Web service provider [column 8, lines 18-37].

As to claims 9 and 25, Lin et al discloses that the asserting party is the Web service client and the relying party is the Web service provider [column 8, lines 18-37].

As to claims 10 and 26, Lin et al discloses that the statement is included in an extended assertion that is given to the service provider at time of authentication [column 5, lines 35-56].

As to claims 11 and 27, Lin et al discloses the apparatus further comprising:

means for the Web service client presenting to the discovery service a service assertion obtained from a second system entity, wherein the service assertion comprises a user presence statement [column 6, lines 8-36]; and

means for the discovery service issuing a new service assertion comprising a new user presence statement, the new service assertion and the new user presence statement associated with the second system entity [column 6, lines 8-36].

As to claims 12 and 28, Lin et al discloses that the second system entity is a second Web service client [column 6, lines 8-36].

As to claims 16 and 32, Lin et al discloses means for testing a request to the Web service provider while a user is still present, wherein either or both the discovery service and the Web service provider can perform real-time consent informational data collection from a user without having actually performed a particular transaction [column 6, lines 8-36].

As to claim 17, Lin et al discloses a method for proving authentication when a user is not present, the method comprising the steps of:

a Web service client coupled to a service provider [column 2, lines 41-62];

a Web service provider [column 2, lines 41-62]; and

a discovery service [column 2, lines 41-62];

wherein:

the Web service client, the service provider, the Web service provider, and the discovery service agree to work with each other [column 2 line 63 to column 3 line 4]; and

the Web service provider is configured in such a way such that the calling Web service client must prove that it has permission to request a service from the Web service provider when a live authenticated session of the user with the Web service client is not present [column 8, lines 10-56].

8. Claims 33-44 are rejected under 35 U.S.C. 102(e) as being anticipated by Wells et al U.S. Patent No. 6,901,387 B2.

As to claim 33, Wells et al discloses a method for invoking authenticated transactions on behalf of a user when the user is not present, the method comprising the steps of:

a service provider, at a time when a user is present, asking the user if the service provider can perform a particular transaction at a later point in time when the user is not present [column 14, lines 30-52], wherein if the user indicates yes, then the service provider sending a notification to register with any of, or both of:

a trusted discovery service [column 3, lines 24-39]; and

a Web service provider that performs the particular transaction [column 6, lines 14-41];

wherein while the user is still present, the user can be asked to provide informational content related to the particular transaction [column 14, lines 30-52]; and

for invocation, the service provider making a request of the Web service provider to perform the particular transaction [column 14, lines 30-52].

As to claims 34 and 40, Wells et al discloses the step of a discovery service checking if the user gave permission for contacting the Web service provider when the user is not present [column 14, lines 30-52]. Wells et al discloses that if permission is granted, allowing control to go to the Web service provider [column 14, lines 30-52].

As to claims 35 and 41, Wells et al discloses the method comprising any of the steps of the Web service provider:

trusting the discovery service performed checking for permission and accepting that if the discovery service indicates the user gave permission, then the Web service provider performing the particular transaction [column 6 line 62 to column 7 line 16]; and

the Web service provider deciding to perform checking for permission, and subsequently performing the particular transaction if the Web service provider determines permission is granted [column 6 line 62 to column 7 line 16].

As to claims 36 and 42, Wells et al discloses the method further comprising the step of providing a user capability of reviewing and modifying stored permissions [column 6 line 62 to column 7 line 16].

As to claims 37 and 43, Wells et al discloses the method comprising the step of providing robust security by having trust kept centrally in the discovery service [column 7, lines 24-34].

As to claims 38 and 44, Wells et al discloses the method further comprising the discovery service supporting a plurality of different types of Web service providers [column 9, lines 14-38].

As to claim 39, Wells et al discloses an apparatus for invoking authenticated transactions on behalf of a user when the user is not present, the apparatus comprising:

a service provider, at a time when a user is present, asking the user if the service provider can perform a particular transaction at a later point in time when the user is not present [column 14, lines 30-52], wherein if the user indicates yes, then the service provider sending a notification to register with any of, or both of:

a trusted discovery service [column 3, lines 24-39]; and

a Web service provider that performs the particular transaction [column 6, lines 14-41];

wherein while the user is still present, the user can be asked to provide informational content related to the particular transaction [column 14, lines 30-52]; and

for invocation, the service provider making a request of the Web service provider to perform the particular transaction [column 14, lines 30-52].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9. Claims 3, 4, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lin et al U.S. Patent No. 6,052,785 as applied to claims 1 and 17 above, and further in view of Van Oorschot et al U.S. Patent No. 5,699,431.

As to claims 3, 4, 19 and 20, Lin et al does not teach that the assertion is signed by an authority. Lin et al does not teach that the authority is an identity provider of the discovery service.

Van Oorschot et al teaches signing an assertion (i.e. certificate) by an authority [column 4, lines 4-24].

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Lin et al so that the certificate would have been signed by a certificate authority. The certificate authority would have been an identity provider of the discovery service.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Lin et al by the teaching of Van Oorschot et al because the signature provides a stronger form of security and proves that the certificate is coming from a authenticated authority and authenticates the discovery service as well.

10. Claims 13, 14, 29 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lin et al U.S. Patent No. 6,052,785 as applied to claims 1 and 17 above, and further in view of Ramasubramani et al U.S. Patent No. 6,516,316 B1.

As to claims 13, 14, 29 and 30, Lin et al does not teach means for the discovery service recording and storing user statement information. Lin et al does not teach that the recorded and stored user statement information is in the form of a table.

Ramasubramani et al teaches means for the discovery service recording and storing user statement (i.e. certificate) information [column 9 line 55 to column 10 line 14]. Ramasubramani et al teaches that the recorded and stored user statement information is in the form of a table [column 9 line 55 to column 10 line 14].

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Lin et al so that the discovery service would have recorded and stored the certificate information. The certificates would have been stored in the form of a table.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Lin et al by the teaching of Ramasubramani et al because it provides a method that is organized, takes less storage space and more efficient way to store certificates.

11. Claims 15 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lin et al U.S. Patent No. 6,052,785 as applied to claims 1 and 17 above, and further in view of Yu U.S. Patent No. 4,919,545.

As to claims 15 and 31, Lin et al does not teach means for the Web service provider storing a ticket for checking the permission to request a service.

Yu teaches means for checking permission to a requested service by a ticket [column 6, lines 12-32].

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Lin et al so that permission to a requested service would have been checked by means of a stored ticket.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Lin et al by the teaching of Yu because this method provides a stronger form authentication, because without the ticket a client would not have access to web services.

Conclusion

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aravind K Moorthy whose telephone number is 571-272-3793. The examiner can normally be reached on Monday-Friday, 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Aravind K Moorthy
August 4, 2005